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MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.				
P.O. BOX 398				
AUSTIN, TX 78767-0398				
EXAMINER				
LOVEL, KIMBERLY M				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/667,401

**Applicant(s)**

ALTMAN, GERALD

**Examiner**

KIMBERLY LOVEL

**Art Unit**

2167

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 24-30, 33, 35-37, 41-45, 48-54, 56-63 and 65-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-30, 33, 35-37, 41-45, 48-54, 56-63 and 65-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. This communication is in response to the Amendment filed the 28 August 2008.
2. Claims 24-30, 33, 35-37, 41-45, 48-54, 56-63 and 65-68 are currently pending and claims 1-23, 31, 32, 34, 38-40, 46, 47, 55 and 64 have been canceled. This action is made Final.
3. The previous prior art rejections of the claims have been maintained.

#### ***Claim Objections***

4. Claim 56 is objected to because the claim states a tangible medium. It is unknown what the metes and bounds of the term tangible medium is since it is not an explicitly defined term in the field. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

5. The rejections of **Claims 56-63** under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement have been withdrawn

#### ***Claim Rejections - 35 USC § 101***

6. The rejections of **claims 41-45, 48-54 and 56-63** under 35 U.S.C. 101 have been withdrawn. It is noted that the computer readable memory medium is considered to be represented by the disclosed computer (see Remarks, page 9).

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. **Claims 24, 25, 27, 28, 33, 35, 41-43, 45, 48-52, 56, 57, 61 and 65-68 are rejected under 35 U.S.C. 102(e) as being anticipated by US PGPub 2005/0125714 to Freeman et al (hereafter Freeman).**

**Referring to claim 24**, Freeman discloses a method, comprising:

receiving a succession of electronic documents into a document management system, wherein each of the succession of electronic documents is received at a corresponding point in time [every document created is stored in a main stream] (see [0032] and [0033]); and

for each of at least a subset of the received electronic documents:

generating a unique time-based identifier [time identification]

corresponding to the point in time at which the electronic document was received (see [0036]); and

storing the electronic document in a storage system at a storage location corresponding to the unique time-based identifier for the electronic document (see [0049])

wherein the electronic document is retrievable from the storage system using its unique time-based identifier (see [0037] and [0058]).

**Referring to claim 25**, Freeman discloses the method of claim 24, wherein said receiving includes receiving a first electronic document at a first point in time corresponding to a first date and a first time of day within the first date, wherein the unique time-based identifier of the first electronic document corresponds to the first date and the first time of day (see [0034] and Fig 1).

**Referring to claim 27**, Freeman discloses the method of claim 25, wherein the first time of day is specified by at least an hour value, a minutes value, and a seconds value [i.e., 10:24:59] (see Fig 1).

**Referring to claim 28**, Freeman discloses the method of claim 24, wherein said receiving includes: receiving imaged electronic documents [scan]; and/or receiving computer generated electronic documents (see [0036]).

**Referring to claim 30**, Freeman discloses the method of claim 28, wherein the computer generated electronic documents include electronic documents received from one or more of the following sources: word processing programs, graphics programs, e-mail [e-mail], facsimile transmissions (see [0033]).

**Referring to claim 33**, Freeman discloses the method of claim 24, further comprising: accessing a first electronic document stored in the time-addressable

storage system using a first unique time-based identifier, wherein the first unique time-based identifier corresponds to a first point in time when the first electronic document was received into the document management system (see [0058]).

**Referring to claim 35**, Freeman discloses the method of claim 24, further comprising: generating a record for each of at least a subset of the received electronic documents, wherein each record includes a plurality of attributes [metadata] for the corresponding electronic document (see [0058] and Fig 2).

**Referring to claim 41**, Freeman discloses a document management system, comprising:

an input unit configured to receive a succession of electronic documents into a document management system, wherein each of the succession of electronic documents is received at a corresponding point in time [every document created is stored in a main stream] (see [0032] and [0033]); and

a storage subsystem coupled to the input unit and configured to store the succession of electronic documents using corresponding to the unique time-based identifier for the electronic document (see [0049]);

a computer system coupled to both the input unit and the storage subsystem, wherein the computer system is configured, for each of at least a subset of the received electronic documents, to generate a unique time-based identifier [time identification] corresponding to the point in time at which the electronic document was received into the document management system, and to use the unique time-based identifier to store the electronic document in the addressable storage subsystem (see [0036]); and

wherein the electronic document is retrievable from the storage system using its unique time-based identifier (see [0037] and [0058]).

**Referring to claim 42**, Freeman discloses the system of claim 41, wherein the input unit is configured to receive a first electronic document at a first point in time corresponding to a first date and a first time of day within the first date, wherein the unique time-based identifier of the first electronic document corresponds to the first date and the first time of day (see [0034] and Fig 1).

**Referring to claim 43**, Freeman discloses the system of claim 42, wherein the first time of day is specified by at least an hour value, a minutes value, and a seconds value [i.e., 10:24:59] (see Fig 1).

**Referring to claim 45**, Freeman discloses the system of claim 42, wherein the first electronic document originated from an electronic document provided as input to the document management system (see [0036]).

**Referring to claim 48**, Freeman discloses a document management system, comprising:

first means receiving a succession of electronic documents into a document management system, wherein each of the succession of electronic documents is received at a corresponding point in time [every document created is stored in a main stream] (see [0032] and [0033]); and

second means for generating a unique time-based identifier [time identification] corresponding to the point in time at which the electronic document was received, wherein the second means is coupled to the first means (see [0036]); and

third means for storing each of at least a subset of the received electronic documents using the corresponding to the time-based identifier, wherein the third means is coupled to the second means (see [0049])

wherein the electronic document is retrievable from the storage system using its unique time-based identifier (see [0037] and [0058]).

**Referring to claim 49**, Freeman discloses the document management system of claim 48, wherein a unique time-based address for a given one of a succession of electronic documents corresponds to a date and a time of day within that date that the given electronic document was received into the document management system (see [0058]).

**Referring to claim 51**, Freeman discloses the document management system of claim 48, wherein the succession of electronic documents include one or more documents, each of which corresponds to an electronic document provided as input to the document management system (see [0036]).

**Referring to claim 52**, Freeman discloses the document management system of claim 48, further comprising: fourth means for generating a record for each of at least a subset of the received electronic documents, wherein each record includes a plurality of attributes [metadata] for the corresponding electronic document (see [0058] and Fig 1).

**Referring to claim 56**, Freeman discloses a tangible computer readable memory medium storing program instructions that are computer executable, to:

receive a succession of electronic documents into a document management system, wherein each of the succession of electronic documents is received at a



corresponding point in time [every document created is stored in a main stream] (see [0032] and [0033]); and

generate a unique time-based identifier [time identification] for each of at least a subset of the received electronic documents, wherein each unique time-based identifier corresponds to the point in time at which the corresponding electronic document was received (see [0036]); and

store each of the least a subset of the electronic documents in a storage system at a storage system at a corresponding storage location corresponding to the unique time-based identifier for that electronic document (see [0049])

wherein the electronic document is retrievable from the storage system using its unique time-based identifier (see [0037] and [0058]).

**Referring to claim 57**, Freeman discloses the tangible computer readable memory medium of claim 56, wherein a unique time-based identifier for a first electronic document corresponds to a first-date and a first time of day at which the first electronic document was received into the document management system (see [0058]).

**Referring to claim 59**, Freeman discloses the tangible computer readable memory medium of claim 57, wherein the first electronic document originated from an electronic document provided as input to the document management system (see [0036]).

**Referring to claim 60**, Freeman discloses the tangible computer readable memory medium of claim 57, wherein the first time of day is specified by at least an hour value, a minutes value, and a seconds value [i.e., 10:24:59] (see Fig 1).

**Referring to claim 61**, Freeman discloses the tangible computer readable memory medium of claim 57, wherein the program instructions are further executable to: generate a record for each of at least a subset of the received electronic documents, wherein each record includes a plurality of attributes for the corresponding electronic document (see [0058] and Fig 1).

**Referring to claim 65**, Freeman discloses the method of claim 24, wherein the received electronic documents include imaged electronic documents, and wherein said retrieving the electronic document from the storage system includes presenting its unique time-based identifier to the storage system (see [0058]).

**Referring to claim 66**, Freeman discloses the system of claim 41, wherein the succession of electronic documents includes imaged electronic documents, and wherein a given one of the succession of electronic documents is retrievable from the storage system by presenting its unique time-based identifier to the storage system (see [0058]).

**Referring to claim 67**, Freeman discloses the document management system of claim 48, wherein the succession of electronic documents includes imaged electronic documents, and wherein a given stored document is retrievable from the third means by presenting its unique time-based identifier to the third means (see [0058]).

**Referring to claim 68**, Freeman discloses the tangible computer readable medium of claim 56, wherein the succession of electronic documents includes imaged electronic documents, and wherein a given electronic document stored in the storage

system is retrievable from the storage system by presenting its unique time-based identifier to the storage system (see [0058]).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**10. Claims 26, 29, 36, 37, 44, 50, 53, 58-60, 62 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over US PGPub 2005/0125714 to Freeman et al as applied to claims 25, 28, 35, 42, 57 and 61 above, and further in view of US Patent No 6,192,165 to Irons (hereafter Irons).**

Referring to claim 26, Freeman fails to explicitly disclose the further limitation wherein the first point in time corresponds to a time when the first electronic document was created by imaging a physical document. Irons discloses creating an electronic file system wherein the documents are identified by timestamps (see abstract), wherein the first point in time corresponds to a time when the first electronic document was created by imaging a physical document (see column 7, lines 10-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to receive the electronic documents of Freeman by scanning physical documents as disclosed by Irons. One would have been motivated to do so in order to

create an environment in which documents can be readily shared across a network (Irons: see column 1, lines 24-52).

**Referring to claim 29**, Freeman fails to explicitly disclose the further limitation wherein the imaged electronic documents include electronic documents that were created by imaging physical documents. Irons discloses creating an electronic file system wherein the documents are identified by timestamps (see abstract), wherein the imaged electronic documents include electronic documents that were created by imaging physical documents (see column 7, lines 10-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to receive the electronic documents of Freeman by scanning physical documents as disclosed by Irons. One would have been motivated to do so in order to create an environment in which documents can be readily shared across a network (Irons: see column 1, lines 24-52).

**Referring to claim 36, 53 and 62**, Freeman fails to disclose the further limitation of for each of at least a subset of the received electronic documents, updating one or more tables in a database to include references to the corresponding generated record. Irons discloses creating an electronic file system wherein the documents are identified by timestamps (see abstract), further comprising the further limitation of for each of at least a subset of the received electronic documents, updating one or more tables in a database to include references to the corresponding generated record (see column 17, lines 7-32).

It would have been obvious to track the files of Freeman in the tables disclosed by Irons. One would have been motivated to do so in order to create an environment in which documents can be readily shared across a network (Irons: see column 1, lines 24-52).

**Referring to claim 37, 54 and 63**, the combination of Freeman and Irons discloses the method of claim 36, wherein each of the tables is searchable using one or more attributes [metadata] (Irons: see column 17, lines 7-32).

**Referring to claims 44, 50 and 58**, Freeman fails to explicitly disclose the further limitation wherein the first electronic document originated from a first physical document converted into the first electronic document. Irons discloses creating an electronic file system wherein the documents are identified by timestamps, wherein the first electronic document originated from a first physical document converted into the first electronic document (see column 7, lines 10-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to receive the electronic documents of Freeman by scanning physical documents as disclosed by Irons. One would have been motivated to do so in order to create an environment in which documents can be readily shared across a network (Irons: see column 1, lines 24-52).

***Response to Arguments***

11. Applicant's arguments filed in regards to the prior art rejections have been fully considered but they are not persuasive.
12. Referring to applicant's arguments on page 11 of the Remarks, the applicant states "Applicant submits that Freeman does not teach or suggest, among other things, 'storing the electronic document in a storage system at a corresponding storage location corresponding to the unique time-based identifier for the electronic document,' as recited in claim 24."

The examiner respectfully disagrees. In paragraphs [0032]-[0034], Freeman teaches that the time-ordered stream is the storage model. Since the stream provides storage means, it is considered to meet the requirements of the claimed storage system. Furthermore, the stream is ordered by a time attribute and each document is stored in a location based on its time. This time attribute is considered to represent the unique identifier of each document. Therefore, Freeman is considered to teach the elements of the claimed limitation.

***Conclusion***

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMBERLY LOVEL whose telephone number is (571)272-2750. The examiner can normally be reached on 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John R. Cottingham/  
Supervisory Patent Examiner, Art Unit 2167

/Kimberly Lovel/  
Examiner  
Art Unit 2167

/KL/  
4 December 2008